

Serial No.: 09/696,735



Docket No.: KCC-13,406.1

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## REMARKS

Applicants respectfully request reconsideration of this patent application. Claims 1-14, 33-55 and 58-61 are currently pending.

## Amendments to the Claims

Claim 1 has been amended by inserting the phrase "a blended or compounded material comprising" before the phrase "a high performance elastomer" in line 2, and also by inserting the phrase "said low performance elastomer" before the phrase "filled with a plurality of particles" in line 3. Claim 58 has also been amended by inserting the phrase "a blend of" before the phrase "a high performance elastomer" in line 6, and also by inserting the phrase "said blend" before the word "filled" in line 6. These amendments to Claims 1 and 58 reflect the fact that the claimed breathable, elastic film comprises a blended or compounded material of high performance elastomer and low performance elastomer, wherein the low performance elastomer is filled with a plurality of particles suitable for forming pores in the film upon stretch-thinning of the film. The film has been stretch-thinned, as a result of which the low performance elastomer portion of the film forms a plurality of micropores. Applicants respectfully urge that these amendments are fully supported, for example, by Claim 24 of the application as originally filed which recites a method for producing the claimed film in which the high performance elastomer and low performance elastomer are blended or compounded. Accordingly, Applicants

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respectfully urge that these amendments are fully supported by the application as originally filed and incorporate no new subject matter into the application.

**Supplemental Information Disclosure Statement**

Pursuant to 37 C.F.R. §§1.56 and 1.97-1.98, Applicants call the Examiner's attention to U.S. Patent 6,015,764 to McCormack et al., which was cited by the Examiner in related U.S. Application Serial No. 09/685,070. A copy of this reference is enclosed. This reference is also listed on the attached PTO Form-1449.

Respectfully submitted,



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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the Claims:**

1. (Amended) A breathable, elastic film comprising:  
a blended or compounded material comprising a high performance elastomer[;] and[

] a low performance elastomer, said low performance elastomer filled with a plurality of particles suitable for forming pores in said film upon stretch-thinning of said film, said film having been stretch-thinned, whereby a low performance elastomer portion of said film forms a plurality of micropores.

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58. (Amended) A diaper comprising:  
a fluid pervious cover sheet, a fluid impervious backsheet and an absorbent layer disposed between said fluid impervious cover sheet and said fluid impervious backsheet, at least one of said fluid pervious cover sheet, said fluid impervious backsheet, and said absorbent layer comprising an elastic film comprising a blend of a high performance elastomer and a low performance elastomer, said blend filled with a plurality of particles suitable for forming pores in said film upon stretch-thinning of said film, said film having been stretch-thinned, whereby a low performance elastomer portion of said film forms a plurality of micropores.

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